UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,809	07/10/2001	Adam W. Smith	MS1-863US	6339

22801	7590	11/08/2004

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 June 2004_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/9/04, 6/20/04, 11/8/04, 11/20/04, 11/1/04

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-33 are presented for examination.

Response to Arguments

2.   Applicant's arguments filed 6/30/04 have been fully considered but they are not

persuasive. Therefore, rejection of claims 1-33 is maintained.

Applicant argues (1) Deitel et al. "Java How to Program Book", Third Edition, 1999,

Pages 7-29, 698-699, 714-717, 876-878, 936-977, 980-998 and 1002-1046 (Hereinafter Deitel)

does not disclose, "a second class to manage HTTP output to a client". The examiner disagrees

in response to applicant's arguments. Deitel very clearly discloses a second class to manage

HTTP output to a client, for example, figure 19.5, of page 943, which further details a program

using a class to manage HTTP output to a client. The claim is open-ended (comprising). Also,

page 2241, lines 10-14, clearly states, "Although the invention has been described in language

specific to structural features and/or methodological acts, it is to be understood that the invention

defined in the appended claims is not necessarily limited to the specific feature or acts described.

Rather, the specific features and acts are disclosed as exemplary forms of implementing the

claimed invention." Since, applicant's claims contain broadly claimed subject matter, it clearly

reads upon the examiner's interpretation of these actions. Therefore, Deitel meets the claimed

limitations.

Applicant argues (2) Deitel does not disclose, "a second group of services related to

managing HTTP output to a client". The examiner disagrees in response to applicant's

arguments. Deitel very clearly discloses a second group of services related to managing HTTP

output to a client, for example, figure 19.5, of page 943, which further details a program using a group of services related to managing HTTP output to a client. The claim is open-ended (comprising). Also, page 2241, lines 10-14, clearly states, "Although the invention has been described in language specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not necessarily limited to the specific feature or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the claimed invention." Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, Deitel meets the claimed limitations.

Applicant argues (3) Deitel does not disclose, "creating an HTTP response class to manage an HTTP output stream to a client". The examiner disagrees in response to applicant's arguments. Deitel very clearly discloses creating an HTTP response class to manage an HTTP output stream to a client, for example, figure 19.5 of page 943, figure 17.3 of page 822, and figure 17.4 of page 829, which further details a program using a class to manage an HTTP output stream to a client. The claim is open-ended (comprising). Also, page 2241, lines 10-14, clearly states, "Although the invention has been described in language specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not necessarily limited to the specific feature or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the claimed invention." Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, Deitel meets the claimed limitations.

Applicant argues (4) Deitel does not disclose, "calling one or more second functions to facilitate managing HTTP output to a client". The examiner disagrees in response to applicant's arguments. Deitel very clearly discloses calling one or more second functions to facilitate managing HTTP output to a client, for example, figure 19.5, of page 943, which further details a program using functions that are called to facilitate managing HTTP output to a client. The claim is open-ended (comprising). Also, page 2241, lines 10-14, clearly states, "Although the invention has been described in language specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is not necessarily limited to the specific feature or acts described. Rather, the specific features and acts are disclosed as exemplary forms of implementing the claimed invention." Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of these actions. Therefore, Deitel meets the claimed limitations.

Applicant argues (5) Deitel does not disclose, "a class to manage HTTP output from a client, as per claim 1". The examiner disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies "a class to manage HTTP output from a client, as per claim 1" is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore the rejection in maintained as disclosed above. The claim is open-ended (comprising). Also, page 2241, lines 10-14, clearly states, "Although the invention has been described in language specific to structural features and/or methodological acts, it is to be understood that the invention defined in the appended claims is

not necessarily limited to the specific feature or acts described. Rather, the specific features and

acts are disclosed as exemplary forms of implementing the claimed invention." Since, applicant's

claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation

of these actions. Therefore, Deitel meets the claimed limitations.

Specification

3.   The disclosure is objected. Some of the informalities are:

        i.   Applicant needs to replace the DETAILED DESCRIPTION OF THE

INVENTION section. The specification has 2242 pages. Hence, applicant is

requested to keep the relevant pages to the claimed subject matter (for example,

pages 1-23) in the specification, and to place rest of the pages in the Compact

disc, and to cite the Compact disc, in the "INCORPORATION-BY-REFERENCE

OF MATERIAL SUBMITTED ON A COMPACT DISC" section, of the

specification.

Appropriate correction is required.

4.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a
separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed
150 words in length since the space provided for the abstract on the computer tape used by the
printer is limited. The form and legal phraseology often used in patent claims, such as "means"
and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist
readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the
title. It should avoid using phrases which can be implied, such as, "The disclosure concerns,"
"The disclosure defined by this invention," "The disclosure describes," etc.

The abstract is objected. Some of the informalities are:

a.   The abstract should not contain term "may be".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Non-amended claims 1-6, 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated

by Deitel et al. Java How to Program book, Third edition, 1999, Pages 7-29, 698-699, 714-717,

876-878, 936-977, 980-998, 1002-1046 (Hereinafter Deitel), as per paper number 6, dated

2/2/2004.

7.   Amended claims 15-31, and new claims 32 and 33, are rejected under 35 U.S.C. 102(b)

as being anticipated by Deitel et al. Java How to Program book, Third edition, 1999, Pages 7-29,

214-226, 698-699, 714-717, 817- 838, 876-878, 936-977, 980-998, 1002-1046 (Hereinafter

Deitel).

8.   As per claims 15, 21, 22, 27 and 28, Deitel teaches the following:

an application program interface embodied on one or more computer readable media (e.g., page 17) , comprising,

a network software architecture (e.g., chapter 21, page 1002) comprising,

a method comprising,

a first class to provide information regarding a current HTTP request (e.g., subclasses of HTTPServlet class, chapter 19, page 936),

a second class to manage an HTTP output <u>stream</u> to a client (e.g., subclasses of HTTPServlet class, chapter 19, page 936, figure 19.5 of page 943, figure 17.3 of page 822, and figure 17.4 of page 829),

an object to provide access to server-<u>based</u> utilities and processes (e.g., Servlets, chapter 19, page 936, use of java utilities, figure 6.6, page 217),

a set of classes that enable building and using web services (e.g., classes and subclasses of java.io.*, java.net.*, java.awt.*, java.awt.event.*, javax.swing.*, java.util.*, java.swing.*, java.swing.event.*, java.applet.AppletContext, etc., page 1005).

9.   As per claims 16-20, 23-26, 29-31, Deitel teaches the following:

a third class to manipulate at least one cookie, cookies (e.g., Cookie class, page 955),

a fourth class to handle file transfers (e.g., Subclasses of File Class, page 876),

a fifth class to provide exception information (e.g., Exception classes, page 714),

a set of classes that enable building and using web services (e.g., classes and subclasses of section 21.3, Reading a file on a web server class, page 1008),

a sixth class to control operation of an output cache (e.g., create the ObjectOutputStream

first and flush the stream, page 1018),

a set of classes that allow a user to create controls and pages that represent a user

interface on a web page (e.g., chapter 21.2, classes to manipulating URLs and creating objects on

the web page, page 1004, classes and subclasses of java.io.*, java.net.*, java.awt.*,

java.awt.event.*, javax.swing.*, java.util.*, java.swing.*, java.swing.event.*,

java.applet.AppletContext, etc., pages 1005-1006),

HTML controls that allow a user to create HTML server controls on a web page (e.g.,

chapter 21.2, classes to manipulating URLs and creating objects including control objects on the

web page, pages 1004-1036, the servlet API, page 939, servlet runninig on a server including a

web server, page 945, pages 936-937),

the HTML server controls are executed on a server and map to standard HTML tags (e.g.,

form control mapping to the HTML document, page 953, servlet running on a server including a

web server, page 945, pages 936-937),

web controls that allow a user to create web server controls on a web page (e.g., chapter

21.2, classes to manipulating URLs and creating objects including control objects on the web

page, pages 1004-1036, the servlet API, page 939, servlet runninig on a server including a web

server, page 945, pages 936-937),

the web controls are executed on a web server and include form controls (e.g., servlet

running on a server including a web server, page 945, form control, page 953, pages 936-937),

a web method attribute class to programmatically expose a method over the web (e.g.,

classes and subclasses of java.rmi.*, java.rmi.server.*, classes used to build distributed

applications for web servers, page 984, 980).

10.   As per new claims 32, 33, Deitel teaches the following:

the first class provides HTTP values sent by a client during a web request (e.g., page 216,

figure 6.6, section 20.1, page 981),

the second class manages a stream of data output to the client (e.g., figure 17.3 of page

822, figure 17.4 of page 829).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Non-amended claim 7, is rejected under 35 U.S.C. 103(a) as being unpatentable over

Deitel in view of "Official Notice", as per paper number 6, dated 2/2/2004.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

November 1, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100